IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2130 OF 2006

Shri. Shadab Inayat Fallah. ..Applicant.
Vs.
The State of Maharashtra. ..Respondent.

Mr.S.S.Kulkarni, Advocate for the Applicant.
Mr.R.V.Saste, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 10/7/2006.

P.C.

1. This is an application for grant of anticipatory bail. The applicant is shown as an accused in C.R.No.73/2006 registered by Ambad Police Station for alleged offences under Section-394 and 325 of the I.P.C. On perusal of the F.I.R. dated 22.2.2006, it appears that one Bhaskar Patil was assaulted by security guard of the hotel which is owned by the father of the present applicant on account of non payment of dinner bill. It is also alleged that gold chain and cash of Rs.49,500/- were snatched from the complainant. The version of the complainant is supported by the medical evidence which indicates that he was examined on 8.2.2006 which is the date of the incident and he found to have suffered four injuries. It does appear that there is another cross complaint regarding the same incident. However, at this stage, it would be very difficult to say which version

is true. The police have recorded the statement of one person by name Deepak who had given Rs.50,000/- to the complainant. In my view, this is not a fit case for grant of anticipatory bail. Hence, application is rejected.

2. The Advocate for the applicant states that the applicant will surrender before the concerned Magistrate on 17.7.2006. The applicant may not be arrested till 17.7.2006. However, if he surrenders before the Magistrate, it is open for the Magistrate to consider his case for grant of bail or remand on its own merits.

(R. S. MOHITE, J.)